

SECTION 232 INVESTIGATIONS

The Effect of Imports on the National Security

*Investigations conducted under
the Trade Expansion Act of 1962, as amended*



**BUREAU OF EXPORT ADMINISTRATION
OFFICE OF STRATEGIC INDUSTRIES
AND ECONOMIC SECURITY
STRATEGIC ANALYSIS DIVISION**

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I. INTRODUCTION

A. PURPOSE AND PROCEDURE:

A Section 232 investigation is conducted under the authority of the Trade Expansion Act of 1962, as amended. The purpose of the investigation is to determine the effect of imports on the national security. Investigations may be initiated based on an application from an interested party, a request from the head of any department or agency, or may be self-initiated by the Secretary of Commerce.

By law, the Secretary of Commerce has 270 days to present the Department's findings and recommendations to the President. While the statute requires that Commerce consult with the Department of Defense regarding the methodological and policy questions that arise during a Section 232 investigation, other government agencies (such as the Departments of State and Labor) also participate in Section 232 interagency working groups based upon their expertise and/or interest.

During the course of an investigation, Commerce may provide the public with an opportunity to comment and present information and advice relevant to the investigation, usually through a notice in the Federal Register. Additional information is gathered from such sources as: surveys of producers, importers and endusers; on-the-record meetings with interested parties; site visits; and a review of public literature.

If the Secretary finds that imports threaten to impair the national security, the President has 90 days to determine whether he agrees with the Secretary's findings, and to determine whether to use his statutory authority to "adjust imports."

B. CRITICAL FACTORS:

Among the most important criteria considered are:

- C requirements of the defense and essential civilian sectors;
- C growth requirements of domestic industries to meet national defense requirements;
- C quantity, quality, and availability of imports;
- C impact of foreign competition on the economic welfare of the essential domestic industry;
- C the displacement of any domestic products causing substantial unemployment, decrease in the revenues of government, loss of investment or specialized skills and productive capacity; and
- C other factors relevant to the unique circumstances of the specific case.

II. STATUTE

TITLE 19 - Customs Duties

CHAPTER 7. Trade Expansion Program

Trade Agreements

19 U.S.C. § 1862

§ 1862. Safeguarding National Security

**Prohibition on decrease or elimination of duties
or other import restrictions if such reduction
or elimination would threaten to impair national security.**

(a) No action shall be taken pursuant to section 1821(a) [19 U.S.C. § 1821(a)] or pursuant to section 1351 of this title [19 U.S.C. § 1351] to decrease or eliminate the duty or other import restriction on any article if the President determines that such reduction or elimination would threaten to impair the national security.

(b) Investigations by Secretary of Commerce to determine effects on national security of imports of articles; consultation with Secretary of Defense and other officials; hearings; assessment of defense requirements; report to President; publication in Federal Register; promulgation of regulations.

(1)(A) Upon request of the head of any department or agency, upon application of an interested party, or upon his own motion, the Secretary of Commerce (hereafter in this section referred to as the “Secretary”) shall immediately initiate an appropriate investigation to determine the effects on the national security of imports of the article which is the subject of such request, application, or motion.

(B) The Secretary shall immediately provide notice to the Secretary of Defense of any investigation initiated under this section.

(2)(A) In the course of any investigation conducted under this subsection, the Secretary shall--

(i) consult with the Secretary of Defense regarding the methodological and policy questions raised in any investigation initiated under paragraph (1),

(ii) seek information and advice from, and consult with, appropriate officers of the United States, and

(iii) if it is appropriate and after reasonable notice, hold public hearings or otherwise afford interested parties an opportunity to present information and advice relevant to such investigation.

(B) Upon the request of the Secretary, the Secretary of Defense shall provide the Secretary an assessment of the defense requirements of any article that is the subject of an investigation conducted under this section.

(3)(A) By no later than the date that is 270 days after the date on which an investigation is initiated under paragraph (1) with respect to any article, the Secretary shall submit to the President a report on the findings of such investigation with respect to the effect of the importation of such article in such quantities or under such circumstances upon the national security and, based on such findings, the recommendations of the Secretary for action or inaction under this section. If the Secretary finds that such article is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security, the Secretary shall so advise the President in such report.

(B) Any portion of the report submitted by the Secretary under subparagraph (A) which does not contain classified information or proprietary information shall be published in the Federal Register.

(4) The Secretary shall prescribe such procedural regulations as may be necessary to carry out the provisions of this subsection.

(c) Adjustment of imports; determination by President; report to Congress; additional actions; publication in Federal Register

(1)(A) Within 90 days after receiving a report submitted under subsection (b)(3)(A) of this section in which the Secretary finds that an article is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security, the President shall--

(i) determine whether the President concurs with the finding of the Secretary, and

(ii) if the President concurs, determine the nature and duration of the action that, in the judgment of the President, must be taken to adjust the imports of the article and its derivatives so that such imports will not threaten to impair the national security.

(B) If the President determines under subparagraph (A) to take action to adjust imports of an article and its derivatives, the President shall implement that action by no later than the date that is 15 days after the day on which the President determines to take action under subparagraph (A).

(2) By no later than the date that is 30 days after the date on which the President makes any determinations under paragraph (1), the President shall submit to the Congress a written statement of the reasons why the President has decided to take action, or refused to take action, under paragraph (1). Such statement shall be included in the report published under subsection (e) of this section.

(3)(A) If--

(i) the action taken by the President under paragraph (1) is the negotiation of an agreement which limits or restricts the importation into, or the exportation to, the United States of the article that threatens to impair national security, and

(ii) either--

(I) no such agreement is entered into before the date that is 180 days after the date on which the President makes the determination under paragraph (1)(A) to take such action, or

(II) such an agreement that has been entered into is not being carried out or is ineffective in eliminating the threat to the national security posed by imports of such article, the President shall take such other actions as the President deems necessary to adjust the imports of such article so that such imports will not threaten to impair the national security. The President shall publish in the Federal Register notice of any additional actions being taken under this section by reason of this subparagraph.

(B) If--

(i) clauses (i) and (ii) of subparagraph (A) apply, and

(ii) the President determines not to take any additional actions under this subsection, the President shall publish in the Federal Register such determination and the reasons on which such determination is based.

(d) Domestic production for national defense; impact of foreign competition on economic welfare of domestic industries.

For the purposes of this section, the Secretary and the President shall, in the light of the requirements of national security and without excluding other relevant factors, give consideration to domestic production needed for projected national defense requirements, the capacity of domestic industries to meet such requirements, existing and anticipated availabilities of the human resources, products, raw materials, and other supplies and services essential to the national defense, the requirements of growth of such industries and such supplies and services including the investment, exploration, and development necessary to assure such growth, and the importation of goods in terms of their quantities, availabilities, character, and use of those affect such industries and the capacity of the United States to meet national security requirements. In the administration of this section, the Secretary and the President shall further recognize the close relation of the economic welfare of the Nation to our national security, and shall take into consideration the impact of foreign competition on the economic welfare of individual domestic industries; and any substantial unemployment, decrease in revenues of government, loss of skills or investment, or other serious effects resulting from the displacement of any domestic products by excessive imports shall be considered, without excluding other factors, in determining whether such weakening of our internal economy may impair the national security.

(d)¹ Reports by Secretary of Commerce and President

(1) Upon the disposition of each request, application, or motion under subsection (b) of this section, the Secretary shall submit to the Congress, and publish in the Federal Register, a report on such disposition.

(2) The President shall submit to the Congress an annual report on the operation of the provisions of this section.

(f)² Congressional disapproval of Presidential adjustment of imports of petroleum or petroleum products; disapproval resolution.

(1) An action taken by the President under subsection (c) of this section to adjust imports of petroleum or petroleum products shall cease to have force and effect upon the enactment of a disapproval resolution, provided for in paragraph (2), relating to that action.

¹Congress enacted two subsections (d)

²Legislation omits subsection (e)

(2)(A) This paragraph is enacted by the Congress--

(i) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedures to be followed in that House in the case of disapproval resolutions and such procedures supersede other rules only to the extent that they are inconsistent therewith; and

(ii) with the full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as any other rule of that House.

(B) For purposes of this subsection, the term “disapproval resolution” means only a joint resolution of either House of Congress the matter after the resolving clause of which is as follows: “That the Congress disapproves the action taken under section 232 of the Trade Expansion Act of 1962 with respect to petroleum imports under ____ dated __.”, the first blank space being filled with the number of the proclamation, Executive order, or other Executive act issued under the authority of subsection (c) of such section 232 for purposes of adjusting imports of petroleum or petroleum products and the second blank being filled with the appropriate date.

(C)(i) All disapproval resolutions introduced in the House of Representatives shall be referred to the Committee on Ways and Means and all disapproval resolutions introduced in the Senate shall be referred to the Committee on Finance.

(ii) No amendment to a disapproval resolution shall be in order in either the House of Representatives or the Senate, and no motion to suspend the application of this clause shall be in order in either House nor shall it be in order in either House for the Presiding Officer to entertain a request to suspend the application of this clause by unanimous consent.

(As amended Pub. L. 100-418, Title I, § 1501 (a), (b)(1), Aug. 23, 1988, 102 Stat. 1257, 1259.)

III. REGULATIONS

Title 15 - Commerce and Foreign Trade

EFFECT OF IMPORTED ARTICLES ON THE NATIONAL SECURITY (15 CFR 705)

Section

- 705.1 Definitions.**
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- 705.3 Commencing an investigation.**
- 705.4 Criteria for determining effect of imports on the national security.**
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- 705.6 Confidential information.**
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- 705.10 Report of an investigation and recommendation.**
- 705.11 Determination by the President and adjustment of imports.**
- 705.12 Disposition of an investigation and report to the Congress.**

Authority: Sec. 232, Trade Expansion Act of 1962, as amended (19 U.S.C. 1862) and Reorg. Plan No. 3 of 1979 (44 FR 69273, Dec. 3, 1979) [E.O. 12188 (45 FR 989, Jan. 4, 1980)].

705.1 Definitions.

As used in this part:

Department means the United States Department of Commerce and includes the Secretary of Commerce and the Secretary's designees.

Secretary means the Secretary of Commerce or the Secretary's designees.

Applicant means the person or entity submitting a request or application for an investigation pursuant to this part.

705.2 Purpose.

These regulations set forth the procedures by which the Department shall commence and conduct an investigation to determine the effect on the national security of the imports of any article. Based on this investigation, the Secretary shall make a report and recommendation to the President for action or inaction regarding an adjustment of the imports of the article.

705.3 Commencing an investigation.

- (a) Upon request of the head of any government department or agency, upon application of an interested party, or upon motion of the Secretary, the Department shall immediately conduct an investigation to determine the effect on the national security of the imports of any article.
- (b) The Secretary shall immediately provide notice to the Secretary of Defense of any investigation initiated under this part.

705.4 Criteria for determining effect of imports on the national security.

(a) To determine the effect on the national security of the imports of the article under investigation, the Department shall consider the quantity of the article in question or other circumstances related to its import. With regard for the requirements of national security, the Department shall also consider the following:

- (1) Domestic production needed for projected national defense requirements;
- (2) The capacity of domestic industries to meet projected national defense requirements;
- (3) The existing and anticipated availabilities of human resources, products, raw materials, production equipment and facilities, and other supplies and services essential to the national defense;
- (4) The growth requirements of domestic industries to meet national defense requirements and the supplies and services including the investment, exploration and development necessary to assure such growth; and
- (5) Any other relevant factors.

(b) In recognition of the close relation between the strength of our national economy and the capacity of the United States to meet national security requirements, the Department shall also, with regard for the quantity, availability, character and uses of the imported article under investigation, consider the following:

- (1) The impact of foreign competition on the economic welfare of any domestic industry essential to our national security;
- (2) The displacement of any domestic products causing substantial unemployment, decrease in the revenues of government, loss of investment or specialized skills and productive capacity, or other serious effects; and
- (3) Any other relevant factors that are causing or will cause a weakening of our national economy

705.5 Request or application for an investigation.

(a) A request or application for an investigation shall be in writing. The original and 1 copy shall be filed with the Director, Office of Strategic Industries and Economic Security, Room 3876, U.S. Department of Commerce, Washington, DC 20230.

(b) When a request, application or motion is under investigation, or when an investigation has been completed pursuant to section 705.10 of this part, any subsequently filed request or application concerning imports of the same or related article that does not raise new or different issues may be either consolidated with the investigation in progress as provided in section 705.7(e) of this part, or rejected. In either event, an explanation for taking such action shall be promptly given to the applicant. If the request or application is rejected, it will not be returned unless requested by the applicant.

(c) Requests or applications shall describe how the quantity, availability, character, and uses of a particular imported article, or other circumstances related to its import, affect the national security, and shall contain the following information to the fullest extent possible:

- (1) Identification of the applicant;
- (2) A precise description of the article;
- (3) Description of the domestic industry affected, including pertinent information regarding companies and their plants, locations, capacity and current output of the industry;
- (4) Pertinent statistics on imports and domestic production showing the quantities and values of the article;
- (5) Nature, sources, and degree of the competition created by imports of the article;
- (6) The effect that imports of the article may have upon the restoration of domestic production capacity in the event of national emergency;
- (7) Employment and special skills involved in the domestic production of the article;
- (8) Extent to which the national economy, employment, investment, specialized skills, and productive capacity is or will be adversely affected;
- (9) Revenues of Federal, State, or local Governments which are or may be adversely affected;
- (10) National security supporting uses of the article including data on applicable contracts or sub-contracts, both past and current; and

(11) Any other information or advice relevant and material to the subject matter of the investigation.

(d) Statistical material presented should be, if possible, on a calendar-year basis for sufficient periods of time to indicate trends. Monthly or quarterly data for the latest complete years should be included as well as any other breakdowns which may be pertinent to show seasonal or short-term factors.

705.6 Confidential information.

(a) Any information or material which the applicant or any other party desires to submit in confidence at any stage of the investigation that would disclose national security classified information or business confidential information (trade secrets, commercial or financial information, or any other information considered sensitive or privileged), shall be submitted on separate sheets with the clear legend "National Security Classified" or "Business Confidential," as appropriate, marked at the top of each sheet. Any information or material submitted that is identified as national security classified must be accompanied at the time of filing by a statement indicating the degree of classification, the authority for the classification, and the identity of the classifying entity. By submitting information or material identified as business confidential, the applicant or other party represents that the information is exempted from public disclosure, either by the Freedom of Information Act (5 U.S.C. 552 *et seq.*) or by some other specific statutory exemption. Any request for business confidential treatment must be accompanied at the time of filing by a statement justifying non-disclosure and referring to the specific legal authority claimed.

(b) The Department may refuse to accept as business confidential any information or material it considers not intended to be protected under the legal authority claimed by the applicant, or under other applicable legal authority. Any such information or material so refused shall be promptly returned to the submitter and will not be considered. However, such information or material may be resubmitted as non-confidential in which case it will be made part of the public record.

705.7 Conduct of an investigation.

(a) If the Department determines that it is appropriate to afford interested parties an opportunity to present information and advice relevant and material to an investigation, a public notice shall be published in the Federal Register soliciting from any interested party written comments, opinions, data, information or advice relative to the investigation. This material shall be submitted as directed within a reasonable time period to be specified in the notice. All material shall be submitted with 3 copies. In addition, public hearings may be held pursuant to section 705.8 of this part.

(b) All requests and applications filed and all material submitted by interested parties, except information on material that is classified or determined to be confidential as provided in section 705.6 of this part, will be available for public inspection. The Bureau of Export Administration does not maintain a separate public inspection facility. Requesters should first view the Bureau's webpage, which can be found at <http://www.bxa.doc.gov> (see FOIA heading). If requesters cannot access the website, they

may call 202-482-2165 for assistance. The records related to this assessment are made accessible in accordance with the regulations published in part 4 of title 15 of the Code of Federal Regulations (15 CFR 4.1 et seq.).

(c) Further information may be requested by the Department from other sources through the use of questionnaires, correspondence, or other appropriate means.

(d) The Department shall, as part of an investigation, seek information and advice from, and consult with, appropriate officers of the United States or their designees, as shall be determined. The Department shall also consult with the Secretary of Defense regarding the methodological and policy questions raised in the investigation. Upon the request of the Secretary, the Secretary of Defense shall provide the Secretary with an assessment of the defense requirements of the article in question. Communications received from agencies of the U.S. government or foreign governments will not be made available for public inspection.

(e) Any request or application that is filed while an investigation is in progress, concerning imports of the same or related article and raising similar issues, may be consolidated with the request, application or motion that initiated the investigation.

705.8 Public hearings.

(a) If it is deemed appropriate by the Department, public hearings may be held to elicit further information.

(1) A notice of hearing shall be published in the Federal Register describing the date, time, place, the subject matter of each hearing and any other information relevant to the conduct of the hearing. The name of a person to contact for additional information or to request time to speak at the hearing shall also be included. Public hearings may be held in more than one location.

(2) Hearings shall be open to the public unless national security classified information will be presented. In that event the presiding officer at the hearing shall close the hearing, as necessary, to all persons not having appropriate security clearances or not otherwise authorized to have access to such information. If it is known in sufficient time prior to the hearing that national security classified information will be presented the notice of hearing published in the Federal Register shall state that national security classified information will be presented and that the hearing will be open only to those persons having appropriate security clearances or otherwise specifically authorized to have access to such information.

(b) Hearings shall be conducted as follows:

(1) The Department shall appoint the presiding officer;

(2) The presiding officer shall determine all procedural matters during the hearing;

(3) Interested parties may appear, either in person or by representation, and produce oral or written information relevant and material to the subject matter of the investigation;

(4) Hearings will be fact-finding proceedings without formal pleadings or adverse parties. Formal rules of evidence will not apply;

(5) After a witness has testified, the presiding officer may question the witness. Questions submitted to the presiding officer in writing by any interested party may, at the discretion of the presiding officer, be posed to the witness. No cross examination of any witness by a party shall be allowed.

(6) Each hearing will be stenographically reported. Transcripts of the hearing, excluding any national security classified information, will be available for public inspection. The Bureau of Export Administration does not maintain a separate public inspection facility. Requesters should first view the Bureau's webpage, which can be found at <http://www.bxa.doc.gov> (see FOIA heading). If requesters cannot access the website, they may call 202-482-2165 for assistance. The records related to this assessment are made accessible in accordance with the regulations published in part 4 of title 15 of the Code of Federal Regulations (15 CFR 4.1 et seq.).

705.9 Emergency action.

In emergency situations, or when in the judgment of the Department, national security interests require it, the Department may vary or dispense with any or all of the procedures set forth in section 705.7 of this part.

705.10 Report of an investigation and recommendation.

(a) When an investigation conducted pursuant to this part is completed, a report of the investigation shall be promptly prepared.

(b) The Secretary shall report to the President the findings of the investigation and a recommendation for action or inaction within 270 days after beginning an investigation under this part.

(c) An Executive Summary of the Secretary's report to the President of an investigation, excluding any classified or proprietary information, shall be published in the Federal Register. Copies of the full report, excluding any classified or proprietary information, will be available for public inspection. The Bureau of Export Administration does not maintain a separate public inspection facility. Requesters should first view the Bureau's webpage, which can be found at <http://www.bxa.doc.gov> (see FOIA heading). If requesters cannot access the website, they may call 202-482-2165 for assistance. The records related to this assessment are made accessible in accordance with the regulations published in part 4 of title 15 of the Code of Federal Regulations (15 CFR 4.1 et seq.).

705.11 Determination by the President and adjustment of imports.

(a) Upon the submission of a report to the President by the Secretary under section 705.10(b) of this part, in which the Department has found that an article is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security, the President is required by Section 232(c) of the Trade Expansion Act of 1962, as amended [19 U.S.C. 1862(c)] to take the following action:

(1) Within 90 days after receiving the report from the Secretary, the President shall determine:

(i) Whether the President concurs with the Department's finding; and

(ii) If the President concurs, the nature and duration of the action that must be taken to adjust the imports of the article and its derivatives so that the such imports will not threaten to impair the national security.

(2) If the President determines to take action under this section, such action must be taken no later than fifteen (15) days after making the determination.

(3) By no later than thirty (30) days after making the determinations under paragraph (a)(1), the President shall submit to the Congress a written statement of the reasons why the President has decided to take action, or refused to take action.

(b) If the action taken by the President under this section is the negotiation of an agreement to limit or restrict the importation into the United States of the article in question, and either no such agreement is entered into within 180 days after making the determination to take action, or an executed agreement is not being carried out or is ineffective in eliminating the threat to the national security, the President shall either:

(1) Take such other action as deemed necessary to adjust the imports of the article so that such imports will not threaten to impair the national security. Notice of any such additional action taken shall be published in the Federal Register; or

(2) Not take any additional action. This determination and the reasons on which it is based, shall be published in the Federal Register.

705.12 Disposition of an investigation and report to the Congress.

(a) Upon the disposition of each request, application, or motion made under this part, a report of such disposition shall be submitted by the Secretary to the Congress and published in the Federal Register.

(b) As required by Section 232(e) of the Trade Expansion Act of 1962, as amended [19 U.S.C. 1862(c)], the President shall submit to the Congress an annual report on the operation of this part.

**SUMMARY OF INVESTIGATIONS CONDUCTED UNDER SECTION 232
OF THE TRADE EXPANSION ACT OF 1962**

<u>Administering Authority: Secretary of Commerce, 1980 to Present</u> <u>Authority Transferred by Executive Order 12188, 1/2/80</u>			
Industry	Initiator	Date of Action and Status	Federal Register Reference
Petroleum (Crude Oil and Refined Products)	Secretary of Commerce	Investigation initiated April 28, 1999. On March 24, 2000, President approved finding that imports of crude oil threaten the national security. President determined that no action necessary to adjust imports.	64 FR 23820 May 4, 1999 ----- 65 FR 46427 July 28, 2000
Petroleum (Crude Oil and Refined Products)	Independent Petroleum Association of America	Petition filed March 11, 1994. On February 16, 1995, President concurred in Commerce's finding that oil imports threaten to impair the national security. President determined that no action necessary to adjust imports.	59 FR 17335 April 12, 1994 ----- 60 FR 30514
Integrated Circuit Ceramic Packages	Coors Electronic Package Company and Ceramic Process Systems Corporation	Petition filed November 10, 1992. On August 18, 1993 the Secretary announced that imports are not a present threat to national security. Joint DOD-DOC Packaging Action Plan led to low-cost electronic packaging initiative.	57 FR 55507 November 25, 1992 ----- 57 FR 61043 December 23, 1992 ----- 58 FR 48033 September 14, 1993
Gears and Gearing Products	The American Gear Manufacturers Association Alexandria, VA	Petition filed October 17, 1991. On August 11, 1992 announced that imports did not threaten to impair the national security.	56 FR 56626 November 6, 1991 ----- 57 FR 35781 August 11, 1992

<u>Administering Authority: Secretary of Commerce, 1980 to Present</u> <u>Authority Transferred by Executive Order 12188, 1/2/80</u>			
Industry	Initiator	Date of Action and Status	Federal Register Reference
Uranium	Secretary of Energy	Request filed December 30, 1988. On October 23, 1989 concluded that imports did not threaten to impair the national security.	54 FR 8225 February 27, 1989
Plastic Injection Molding Machinery	The Society of the Plastic Industry, Inc. on behalf of the Domestic Injection Molding Machinery Trade Group Washington, D.C.	January 11, 1988 - Petition Filed. February 17, 1989 - the Secretary announced that the President approved Commerce's finding that imports do not threaten the national security.	53 FR 6857 March 3, 1988 ----- 54 FR 13397 April 3, 1989
Petroleum (Crude Oil and Refined Products)	National Energy Security Committee	December 1, 1987 - Petition filed; January 3, 1989 - President found that imports threaten to impair national security. Taking into account the Administration's detailed program to improve energy security, no action was taken to adjust imports.	52 FR 49059 December 29, 1987 ----- 54 FR 6556 February 13, 1989
Antifriction Bearings	Anti-Friction Bearing Manufacturers Association Washington, D.C.	July 17, 1987 - Petition filed. July 15, 1988 - Report submitted to President. August 10, 1988 - President asked for supplemental analysis of expected impact of other Administration initiatives. November 28, 1988 - President concluded that imports did not threaten to impair national security.	52 FR 28857 August 4, 1987 ----- 54 FR 1974 January 18, 1989

<u>Administering Authority: Secretary of Commerce, 1980 to Present</u> <u>Authority Transferred by Executive Order 12188, 1/2/80</u>			
Industry	Initiator	Date of Action and Status	Federal Register Reference
Metal-Cutting and Metal-Forming Machine Tools	National Machine Tool Builders' Association McLean, VA	Petition filed March 10, 1983. On May 20, 1986, the President deferred a formal decision in the Section 232 case and directed 1) that voluntary restraint agreements be sought with leading foreign suppliers and 2) that Commerce and Defense develop a Domestic Action Plan of programs to aid the industry's revitalization. On December 16, 1986, the President announced that VRAs had been reached with Japan and Taiwan for a five-year period beginning January 1, 1987. President announced December 27, 1991 that VRAs would be modified, but extended for 1992 and 1993.	48 FR 15174 April 7, 1983 ----- Presidential statements of May 20, 1986 and December 16, 1986 Presidential statement of December 27, 1991
Nuts, Bolts, and Large Screws of Iron or Steel (Except Mine Roof Bolts)	Secretary of Defense	Request filed February 11, 1982. Report on investigation made public February 25, 1983. Concluded that imports did not threaten to impair the national security.	48 FR 13545 March 31, 1982 ----- 48 FR 8842 March 2, 1983

<u>Administering Authority: Secretary of Commerce, 1980 to Present</u> <u>Authority Transferred by Executive Order 12188, 1/2/80</u>			
Industry	Initiator	Date of Action and Status	Federal Register Reference
Crude Oil from Libya	Presidential Request	In March 1982 the Secretary reported that the 1979 finding of the Treasury Department's 232 study on oil was still valid: that imports threatened to impair the national security. The President embargoed crude oil produced in Libya.	Presidential Proclamation 4907 of March 10, 1982 ----- 47 FR 10507 March 11, 1982
Chromium, Manganese and Silicon Ferroalloys and Related Materials	The Ferroalloys Association Washington, D.C.	Petition filed August 18, 1981. Report submitted to the President in August 1982. President found that imports do not threaten to impair the national security, but accepted Commerce recommendation to: 1) begin a ten-year program to upgrade National Defense Stockpile ore into high-carbon ferrochromium and high-carbon ferromanganese, and 2) remove certain ferroalloy imports from eligibility for duty-free entry under the Generalized System of Preferences.	46 FR 49927 October 8, 1981 ----- U.S. Dept. of Commerce News (press release) ITA 82-164, 12/3/82 ----- 49 FR 21391 May 21, 1984

<u>Administering Authority: Secretary of Commerce, 1980 to Present</u> <u>Authority Transferred by Executive Order 12188, 1/2/80</u>			
Industry	Initiator	Date of Action and Status	Federal Register Reference
Glass-Lined Chemical Processing Equipment	Ceramic Coating Company, Newport, KY	Petition filed March 13, 1981. Report on investigation made public March 18, 1982. Concluded that imports did not threaten to impair the national security.	46 FR 45977 September 16, 1981 ----- 47 FR 11746 March 18, 1982
Oil (includes crude oil, crude oil derivatives and products, and related products derived from natural gas and coal tar)	Secretary of the Treasury	In a November 12, 1979 memorandum, the Secretary of the Treasury recommended that dependence on Iran as a source of crude be eliminated because it posed a threat to national security. The President terminated all oil imports from Iran.	Presidential Proclamation 4702 of November 12, 1979 ----- 44 FR 65581 November 14, 1979
Oil (includes crude oil, crude oil derivatives and products, and related products derived from natural gas and coal tar)	Secretary of the Treasury	Investigation initiated on March 15, 1978. Report on investigation made public on March 21, 1979. Concluded that imports threatened to impair the national security. The President imposed a conservation fee on oil imports. The fee was later found to be illegal and removed.	44 FR 7264 February 6, 1979 ----- 44 FR 18818 March 29, 1979

<u>Administering Authority: Secretary of the Treasury, 1973 - 1980</u> <u>Authority Transferred by Executive Order 11725, dated 6/27/73. See also Pub. L 93-618, 1/3/75</u>			
Industry	Initiator	Date of Action and Status	Federal Register Reference
Nuts, Bolts, and Large Screws of Iron or Steel (Except Mine Roof Bolts)	Presidential Directive	President directed the initiation of investigation on February 10, 1978. Report on investigation made public November 1, 1978. Concluded that imports did not threaten to impair the national security.	43 FR 8322 March 1, 1978 ----- 43 FR 51745 November 6, 1978
Oil (includes crude oil, crude oil derivatives and products and related products derived from natural gas and coal tar)	Secretary of the Treasury	Report on investigation made public January 24, 1975. Concluded that imports threatened to impair the national security. The President imposed a new system of supplemental fees on oil imports. The fee was subsequently reduced to zero.	Presidential Proclamation 4341 of January 23, 1975 ----- 40 FR 4457 January 30, 1975
Oil (includes crude oil, crude oil derivatives and products and related products derived from natural gas and coal tar)	Chairman of the Oil Policy Committee	The Chairman of the Oil Policy Committee recommended that the method of adjusting oil imports be modified under section 232. The President suspended existing tariffs on oil imports and shifted from a quota program to a system of adjustable licensing fees for importers.	Presidential Proclamation 4210 of April 18, 1973 ----- 38 FR 9645 April 19, 1973

Administering Authority: Director of Office of Emergency Planning/Preparedness, 1962 - 1973			
Industry	Initiator	Date of Action and Status	Federal Register Reference
EHV Power Circuit Breakers and EHV Power Transformers and Reactors	General Electric Co. New York, New York	Petition filed August 7, 1972. Report on investigation made public May 25, 1973. Concluded that imports did not threaten to impair the national security.	37 FR 16635 August 17, 1972 ----- 38 FR 14442 June 1, 1973
Miniature and Instrument Precision Ball Bearings	Anti-Friction Bearing Manufacturers Association New York, New York	Petition filed January 31, 1969. Report on investigation made public May 5, 1971. Concluded that imports did not threaten to impair the national security.	34 FR 2162 February 13, 1969 ----- 34 FR 7884 May 17, 1969 ----- 36 FR 8537 May 7, 1971
Chromium, Manganese and Silicon Ferroalloys and Refined Metals	Committee of Producers of Ferroalloys and Related Products	Petition filed May 24, 1968. Report on investigation made public August 14, 1970. Concluded that imports did not threaten to impair the national security.	33 FR 8518 June 8, 1968 ----- 35 FR 13037 August 15, 1970
Watches, Movements and Parts	Presidential Request	Initiated April 2, 1965. Report on investigation made public on January 11, 1967. Concluded that imports did not threaten to impair the national security.	30 FR 4598 April 8, 1965 ----- 32 FR 588 January 18, 1967

Administering Authority: Director of Office of Emergency Planning/Preparedness, 1962-1973			
Industry	Initiator	Date of Action and Status	Federal Register Reference
Anti-Friction Bearings and Parts	Anti-Friction Bearing Manufacturers Association New York, New York	Petition filed October 16, 1964. Investigation terminated on November 2, 1966 at petitioner's request.	29 FR 14553 October 23, 1964 ----- 31 FR 14470 November 10, 1966
Tungsten Mill Products	General Electric Company Nela Park Cleveland, Ohio	Petition filed January 2, 1964. Report on investigation made public September 23, 1965. Concluded that imports did not threaten to impair the national security.	30 FR 12433 September 29, 1965
Manganese and Chromium Ferroalloys and Electrolytic Manganese and Chromium Metals	Manufacturing Chemists Association, Inc. Washington, D.C.	Petition filed May 20, 1963. Report on investigation made public July 17, 1964. Concluded that imports did not threaten to impair the national security.	29 FR 11484 August 8, 1964